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OLC #78-3122/3
16 November 1978

MEMORANDUM FOR THE RECORD

SUBJECT: Conversation with Jim Fellenbaum on Possible
New Building at Langley

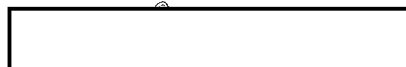
1. On 16 November 1978, I called Jim Fellenbaum, Senate Appropriations Committee staff, and asked him what the Congressional procedure might be if we were to request construction at Langley for either a DIA building or for a building serving both DIA and CIA.

2. Fellenbaum said the first consideration would be whether the construction was considered military rather than civilian as this would determine whether it went into the military budget and before Military Construction rather than Public Works. The Defense Department is annually provided planning money for military projects under consideration. These projects are not yet authorized by legislative enactment, but they are identified to Congress in the budget process. If approved by the Military Construction Subcommittees of Appropriations Committees, planning money may be spent for architectural and engineering plans. When the design phase is at least 30 percent completed, the project may be submitted for authorization by the Armed Services Committees and then for full construction funding by the Military Construction Subcommittees of Appropriations. Normally, planning and construction funding are one or more years apart. But there have been cases of funding both planning and construction in the same year. It is not usually possible to accurately forecast construction costs until planning is at least 30 percent completed.

3. Fellenbaum assumes that any project located at Langley will acquire substantive approval by the House and Senate Select Committees as well as Armed Services (if military) or Public Works (if non-military). Appropriation requests will either go before Military Construction or Public Works Subcommittees of Appropriations Committees.

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4. Fellenbaum is the principal Senate Appropriations Committee staffer for the intelligence budget. He is also the principal staffer for military construction.



Edward L. Sherman
Office of Legislative Counsel

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Approved For Release 2006/11/20 : CIA-RDP81M00980R000600280026-8

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Attached is a memorandum for the record which outlines some of the legislative hurdles we will face if there is to be new construction at Langley. The current Headquarters building was handled as a public works project. We will need to consult with the Congress on how any new building is to be handled. You may want to talk to Duncan or Brown about this.

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